

**Town of Sunset Beach  
Monthly Council  
Work Session, Public Hearing & Regular Meeting  
June 24, 2013**

**MINUTES**

**Members Present:** Mayor Richard Cerrato, Mayor Pro-Tem Lou DeVita, Councilwoman Karen Joseph, Councilwoman Carol Scott, Councilman Wilson Sherrill, and Councilman Mike Williams.

**Members absent:** None

**Attorney & Staff Present:** Mike Isenberg, Town Attorney; Donna Rogers, Finance Director; Cindi Stephenson, Deputy Finance Director; Kevin Dempsey, Fire Chief; Lisa Massey, Police Chief; Dustin Graham, Public Works Director; Sandy Wood, Building Inspections Department Director, and Lisa Anglin, Town Clerk.

**Work Session  
6:45 pm**

Mayor Cerrato called the Work Session to order, called for agenda amendments, and general discussions by the Council.

**Agenda Amendments**

The following items were added to the agenda:

- New Business f – Consideration of Interim Town Administrator Salary Adjustment,
- Old Business d - Consideration of Amendment for Chapter 72 Parking Regulations to Add Ordinance 72.11 Parallel Parking Only on the Island,
- New Business g - Consideration to mail Congratulatory Letters to the new owner and new manager of the Sea Trail Resort

**Bridge Fencing, Rain Lilies and Roundabout Information**

**Bridge Fencing**

Chad Kimes, NCDOT Division Operations Engineer, and Karen Fussell, NC DOT Division Engineer, presented information concerning the fencing under the bridge and the rain lilies. (During the May 24, 2013 Special Meeting, Council had requested NC DOT to consider removing the fencing, allowing parking under the bridge and relocating the lilies.) Kimes informed the Council that the fencing can't be removed and parking will not be allowed due to stormwater permits, endangered plants, emergency access, liability, security, and potential structural damage to the bridge columns from vehicles or trailers. The bridge stormwater permit requires an infiltration basin, surrounded by a 50 foot vegetated filter, between Canal Drive and Shoreline Drive West which is presently protected by the fence. NC DOT will allow the

**Bridge Fencing, Rain Lilies and Roundabout Information (Cont.)**

**Bridge Fencing (Cont.)**

Town to replace the current chain link fence with a more attractive fence including a nautical rope fence if the Town agrees to sign an encroachment agreement and assume the liability responsibility for that area.

**Rain Lilies**

In the bridge construction permitting process, *Zephyranthes simpsonii* (Rain Lilies) were discovered on the site. Over 1,100 lilies were removed, stored and replanted after the construction. NC DOT was also required to sign a Memorandum of Understanding with the NC Department of Agriculture agreeing to cooperate in the planning for long term solutions for rare plants found in the rights-of-way. The NCDOT Natural Environmental Section has determined that the lilies may tolerant foot traffic but not any type of vehicular traffic or parking. The lilies have also been discovered on Shoreline Drive West near the Twin Lakes and will be protected by an attractive fencing and signage stating no mowing or parking during the blooming season which is April 1 – June 30.

**Roundabout**

Chad Kimes advised that the Roundabout funding has been secured. Construction is expected to begin in December 2013 with a completion date of May 2014. It is in the design phase at the present time and plans will be made available to the Town in the near future.

**Council Discussion**

Councilwoman Joseph advised that Southern Living Magazine has included Sunset Beach in an Article titled “One of the South’s Most Secret Beaches”.

**Monthly Meeting  
7:00 pm**

**Call to Order & Pledge of Allegiance**

Mayor Cerrato called the monthly meeting to order and the Pledge of Allegiance was recited. Mayor Cerrato stated “Does any member of the Council have a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda, and if so, please state so at this time?” No one spoke.

**Public Hearing – 2013/2014 Proposed Budget**

COUNCILWOMAN SCOTT MADE A MOTION TO OPEN THE PUBLIC HEARING. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

No comments heard.

COUNCILWOMAN SCOTT MADE A MOTION TO CLOSE THE PUBLIC HEARING. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Public Comments**

Katie Hovermile 1419 Bay Street – Spoke in opposition to the Veteran’s Memorial being placed in the park; stated that the proposed structures in the park are too big; suggested Council donate to charities that assist Veterans.

Richard Hilderman 407 37<sup>th</sup> Street – Spoke in opposition of hiring a consultant for the park development; concerned with the number of amenities that are proposed in the park; questioned how many trees are being removed to build the gazebo.

Tom Smith 121 Forest Walk – Thanked the Council for the donation to the Ingram Planetarium; requested Council meet with Planetarium representatives in the fall to discuss increasing funding.

Karol Asbjornson 407 37<sup>th</sup> Street – Stated that in previous Council meetings it had been said that only the amenities that scored 50% or higher on the survey were to be included in the park and questioned if that was still the Council’s intent.

Jan Harris 206 North Shore Drive – Submitted a list of questions concerning the Park and requested answers in writing.

**Consent Agenda Approval**

COUNCILWOMAN SCOTT MADE A MOTION TO AMEND PAGE 5 OF THE JUNE 3, 2013 MINUTES IN THE DETERMINE LOCATION FOR SEPTEMBER 18, 2013 COMMUNITY MEETING SECTION TO ADD THE FOLLOWING:

“Councilwoman Scott suggested that the meeting be moved back seven (7) weeks in order to avoid the appearance of a conflict of interest because of the upcoming municipal elections. The Council agreed that the community meetings are intended to hold a question and answer session with citizens who chose to attend. Individual Council members will not give speeches or make any remarks that would be construed as a conflict of interest with the upcoming election. Additional community meetings are planned for January 15, 2014 and May 14, 2014.”

MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE FOLLOWING CONSENT AGENDA AS AMENDED:

1. **Minutes**
  - a) May 21, 2013 Work Session Minutes
  - b) May 24, 2013 Special Meeting Minutes
  - c) May 28, 2013 Budget Work Session Minutes
  - d) June 3, 2013 Regular Meeting Minutes
2. **Departmental Reports:**
  - a) Police
  - b) Public Works
  - c) Building Inspections

**Consent Agenda Approval (Cont.)**

- d) Fire
- 3. **Disposition of Directives**
  - a. Preliminary Assessment Notice appeared in Brunswick Beacon – 11/16/11
  - b. Preliminary Assessment Notice and Resolution mailed to affected property owners – 11/16/11
  - c. Preliminary Assessment Resolution Public Hearing held – 12/05/11
  - d. BEMC informed to begin underground project – 12/9/11; Notified of completed 03/04/13
  - e. 50<sup>th</sup> Anniversary Committee appointed – Committee is working on Time Capsule information and will meet when necessary to plan the March 26, 2014 Capsule dedication/sealing ceremony
  - f. Asset Replacement Cost/Life Expectancy Schedule produced/updated & included in Capital Improvement Program –
  - g. Terminal Groin Letter mailed to Senator Rabon & Representative Iler – 06/04/13
  - h. Resolution in Support of Senate Bill 268 emailed to Senator Rabon – 06/04/13
  - i. Causeway Speed limit reduction request mailed to NC DOT – 06/07/13
  - j. Facilities Expansion Project Contract signed with ADW Architects – 06/04/13
  - k. 09/18/13 Community Meeting location (Sea Trail) reserved – 06/07/13
  - l. 2012/2013 Auditor Contract signed and mailed – 06/05/13
  - m. Withers & Ravenel contacted to attend June 18, 2013 meeting – 06/04/13
  - n. Notice to change July meeting to be published in Beacon – 06/13/13
  - o. Notice of 2013/2014 Budget Public Hearing to be published in Beacon – 06/13/13
  - p. Town Administrator Position advertisement emailed to NCLM & ICMA – 06/11/13
  - q. Congratulatory letter mailed to Ann Hardy, Brunswick County Manager – 06/18/13
- 4. **Departmental Updates**

COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Old Business**

**Consideration of Acceptance of the Park Development Engineering Proposal**

COUNCILMAN WILLIAMS MADE A MOTION TO ACCEPT THE PARK DEVELOPMENT ENGINEERING PROPOSAL. MAYOR PRO-TEM DEVITA SECONDED THE MOTION.

Councilwoman Scott requested Council to delay accepting the proposal until the Council has determined the scope, size and location of each amenity that will be included in the park. Councilwoman Joseph advised that by accepting the proposal, the Council and Withers & Ravenel will begin to determine the scope, size and location of each amenity in the park. Mayor Cerrato requested the Council appoint a steering committee for the park. The Council briefly discussed the PARTF grant, trees, walking trail widths, educational signs, etc.

MAYOR CERRATO CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILWOMAN JOSEPH AND COUNCILMAN WILLIAMS VOTED YES. COUNCILWOMAN SCOTT AND COUNCILMAN SHERRILL VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

**Old Business (Cont.)**

**Consideration of Approval of the Streetscape Hardscape & Landscape RFP's**

The Council reviewed the amended RFP's. The Council questioned the number and type of plantings included, the lack of (flower) color incorporated in the plan, the unknown maintenance cost (some expressed too much landscaping for the small area), the size of the overall project, and the project cost of nearly \$600,000. The Council agreed that more discussion was needed and added this item to the July 16, 2013 Work Session agenda.

**Jaguars Lair Update**

Councilwoman Joseph advised that the next meeting is scheduled for June 26, 2013 (which was scheduled before the July Council meeting was rescheduled).

**Consideration of Amendment for Chapter 72 Parking Regulations to Add Ordinance 72.11**

**Parallel Parking Only on the Island**

COUNCILWOMAN JOSEPH MADE A MOTION TO AMEND CHAPTER 72 PARKING REGULATIONS TO ADD ORDINANCE 72.11 PARALLEL PARKING ONLY ON THE ISLAND. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**New Business**

**Consideration of Adoption of the 2012/2013 Budget Ordinance Amendment**

COUNCILWOMAN JOSEPH MADE A MOTION TO ADOPT THE 2012/2013 BUDGET ORDINANCE AMENDMENT. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of Adoption of the 2013/2014 Budget Ordinance and Establishing the 2013/2014**

**Tax Rate at 10.5¢ per \$100 Valuation**

COUNCILWOMAN JOSEPH MADE A MOTION TO ADOPT THE 2013/2014 BUDGET ORDINANCE AND TO ESTABLISH THE 2013/2014 TAX RATE AT 10.5¢ PER \$100 VALUATION. COUNCILMAN WILLIAMS SECONDED THE MOTION.

Councilwoman Scott expressed concerns with the 2013/2014 budget specifically that funds are being taken from the fund balance in order to balance the budget and that no funds are being set aside in the reserve accounts. Mayor Cerrato and Councilwoman Scott expressed concerns with the salary increases, COLA and longevity bonuses.

MAYOR CERRATO CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL, COUNCILWOMAN JOSEPH AND COUNCILMAN WILLIAMS VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

**Consideration of Acceptance of the Sandpiper Bay Entry Road Offer of Dedication**

Tim Tilma, Sandpiper Bay Golf Club General Manager, advised that they are prepared to remove the speed bumps on Sandpiper Bay Drive and to apply the additional one inch of asphalt on North Sandpiper Club Drive if the Town is in agreement with accepting the roads. The Council expressed general agreement provided that the roads passed Town inspection and ordinances.

**New Business (Cont.)**

**Consideration of Scheduling the Park Development Capital Project Budget Public Hearing for August 5, 2013 at 7:00 pm**

This item was moved to the July 16, 2013 Work Session agenda.

**Consideration of Scheduling the Streetscape Capital Project Budget Public Hearing for August 5, 2013 at 7:00 pm**

This item was moved to the July 16, 2013 Work Session agenda.

**Consideration of Interim Town Administrator Salary Adjustment**

Councilman Williams advised that Gary Parker, Town Administrator, with the consent of Council, has named Donna Rogers as the interim Town Administrator for the time that he will be out on sick leave, but compensation was not included.

COUNCILMAN WILLIAMS MADE A MOTION TO PROVIDE AN ADDITIONAL \$100 PER DAY FOR THE INTERIM TOWN ADMINISTRATOR. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN WILLIAMS, COUNCILWOMAN JOSPEH AND COUNCILMAN SHERRILL VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

**Consideration to mail Congratulatory Letters to the new owner and new manager of the Sea Trail Resort**

The Council reached a consensus to mail congratulatory letters to the new owner and new manager of the Sea Trail Resort.

**Public Comments**

Len Steiner 613 Kings Trail – Questioned the Streetscape and Park Development cost of approximately \$1 million that is not included in the 2013/2014 budget; questioned the status of the reserve funds once the capital improvement budgets (Streetscape & Park) are adopted.

Gene Steadman 409 Shoreline Drive West – Stated that 60% +/- of any budget is salaries; suggested that positive promotion would result in more residents and businesses moving to Sunset Beach and building the tax base.

Ed Gore 435 Shoreline Drive West – Stressed to the Council the importance of maintaining a healthy erosion control fund; advised that trees need space in order to grow and diseased, less healthy or crowding trees need to be removed.

Katie Hovermile 1419 Bay Street – Voiced frustration with the Council's decision to accept the park development engineering proposal.

Jane Harris 206 North Shore Drive – Questioned when she could expect the answers to the questions submitted earlier.

Bob Tone 9030 Sea Lane – Advised that a (repeat) visitor is creating mazes in the sand at 4<sup>th</sup> Street for visitors and residents to enjoy.

**Public Comments (Cont.)**

Ron Klein 952 Oyster Pointe Drive – Suggested that everyone keep an open mind concerning the park and the amenities that will be included.

**Adjournment**

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADJOURN THE JUNE 24, 2013 COUNCIL MEETING. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town of Sunset Beach**

Submitted by:

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**Richard Cerrato, Mayor**

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Lisa Anglin, Town Clerk